

19A NCAC 02E .0427 BICYCLE TRAILS

Department of Transportation may permit the municipal governing bodies to jointly use rights of way comprising a part of the State Highway System for the purpose of constructing bicycle trails within the following conditions and limitations:

- (1) The municipality will be totally responsible for the design, construction, and maintenance (including adequate signing) of any bicycle trails proposed to be constructed on rights of way of State Highway System routes.
- (2) The municipality will be responsible for the preparation of plans for the bicycle trails and will submit said plans to the division of highways for review and approval.
- (3) Approval of plans for bicycle trails will be on the basis that said trails do not conflict with highway needs and will not create additional traffic safety problems.
- (4) Where requests involve the utilization of highway rights of way acquired through the use of federal-aid highway funds, concurrence by the Federal Highway Administration is required.
- (5) Authorization to the municipality to construct and maintain bicycle trails on State Highway System rights of way will be handled by an encroachment agreement specifying the conditions of the approval and which will include the provision that the municipality will be totally responsible for removing or relocating the bicycle trail from the rights of way if the highway right of way is needed in the future by the Department of Transportation.

History Note: Authority G.S. 136-71.9; 136-71.10;

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